



BOARD OF DIRECTORS 2021

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ACTING EXECUTIVE DIRECTOR

# AGENDA

## PENINSULA CORRIDOR JOINT POWERS BOARD

### Work Program – Legislative – Planning (WPLP) Committee Meeting

Committee Members: Charles Stone (Chair), Cindy Chavez, Steve Heminger

**Due to COVID-19, this meeting will be conducted via teleconference only (no physical location) pursuant to the [Governor's Executive Orders N-25-20 and N-29-20](#).**

Directors, staff and the public may participate remotely via Zoom at

<https://zoom.us/j/99768901849?pwd=VmVSSEJFZlZHYNzhIR212RURzODNndz09> or by entering Webinar ID: **997 6890 1849**, Passcode: **609602**, in the Zoom app for audio/visual capability or by calling 1-669-900-6833 (enter webinar ID and press # when prompted for participant ID) for audio only. The video live stream will be available after the meeting at <http://www.caltrain.com/about/bod/video.html>

**Public Comments:** Members of the public are encouraged to participate remotely. Public comments may be submitted to [publiccomment@caltrain.com](mailto:publiccomment@caltrain.com) prior to the meeting's call to order so that they can be sent to the Board as soon as possible, while those received during or after an agenda item is heard will be included into the Board's weekly correspondence and posted online at [http://www.caltrain.com/about/bod/Board\\_of\\_Directors\\_Meeting\\_Calendar.html](http://www.caltrain.com/about/bod/Board_of_Directors_Meeting_Calendar.html).

Oral public comments will also be accepted during the meeting through \*Zoom or via the teleconference number listed above. Public comments on individual agenda items are limited to one per person PER AGENDA ITEM. Use the Raise Hand feature to request to speak. For public participants calling in, dial \*67 if you do not want your telephone number to appear on the live broadcast. Callers may dial \*9 to use the Raise the Hand feature for public comment and press \*6 to accept being unmuted when recognized to speak for two minutes or less. Each commenter will be automatically notified when they are unmuted to speak for two minutes or less. The Board Chair shall have the discretion to manage the Public Comment process in a manner that achieves the purpose of public communication and assures the orderly conduct of the meeting.

**June 23, 2021 – Wednesday**

**3:00 pm**

1. Call to Order / Pledge of Allegiance
2. Roll Call

3. Public Comment on Items not on the Agenda

Comments by each individual speaker shall be limited to three (3) minutes. Items raised that require a response will be deferred for staff reply.

- |   |               |
|---|---------------|
| 4. Approve Meeting Minutes of May 26, 2021  | MOTION        |
| 5. Authorize Execution of Memorandum of Understanding with Prologis 4th & King LLC for Joint Delivery of the Caltrain San Francisco Railyards Preliminary Business Case | MOTION        |
| 6. Update on Service Restoration  | INFORMATIONAL |
| 7. State and Federal Legislative  | INFORMATIONAL |
| 8. Committee Member Requests  |               |
| 9. Date/Time of Next Regular WPLP Committee Meeting: Wednesday, July 28, 2021 at 3:00 pm via Zoom   |               |
| 10. Adjourn   |               |

## **INFORMATION FOR THE PUBLIC**

All items appearing on the agenda are subject to action by the Board. Staff recommendations are subject to change by the Board.

If you have questions on the agenda, please contact the JPB Secretary at 650.508.6242. Agendas are available on the Caltrain website at [www.caltrain.com](http://www.caltrain.com). Communications to the Board of Directors can be e-mailed to [board@caltrain.com](mailto:board@caltrain.com).

*Free translation is available; Para traducción llama al 1.800.660.4287; 如需翻译 请电 1.800.660.4287*

### **Date and Time of Board and Committee Meetings**

JPB Board: First Thursday of the month, 9:00 am; JPB WPLP Committee: Fourth Wednesday of the month, 3:00 pm. Date, time and location of meetings may be changed as necessary. Meeting schedules for the Board and committees are available on the website.

### **Location of Meeting**

**Due to COVID-19, the meeting will only be via teleconference as per the information provided at the top of the agenda. The Public may not attend this meeting in person.**

\*Should Zoom not be operational, please check online at [http://www.caltrain.com/about/bod/Board\\_of\\_Directors\\_Meeting\\_Calendar.html](http://www.caltrain.com/about/bod/Board_of_Directors_Meeting_Calendar.html) for any updates or further instruction.

### **Public Comment\***

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### **Accessible Public Meetings/Translation**

Upon request, the JPB will provide for written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in and provide comments at/related to public meetings. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, auxiliary aid, service or alternative format requested at least at least 72 hours in advance of the meeting or hearing. Please direct requests for disability-related modification and/or interpreter services to the Title VI Administrator at San Mateo County Transit District, 1250 San Carlos Avenue, San Carlos, CA 94070-1306; or email [titlevi@samtrans.com](mailto:titlevi@samtrans.com); or request by phone at 650-622-7864 or TTY 650-508-6448.

### **Availability of Public Records**

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at 1250 San Carlos Avenue, San Carlos, CA 94070-1306, at the same time that the public records are distributed or made available to the legislative body.

**Peninsula Corridor Joint Powers Board  
Work Program – Legislative – Planning Committee (WPLP)  
1250 San Carlos Avenue, San Carlos CA**

**DRAFT MINUTES OF MAY 26, 2021**

**MEMBERS PRESENT:** C. Stone (Chair), S. Heminger

**MEMBERS ABSENT:** C. Chavez

**STAFF PRESENT:** M. Bouchard, D. Hansel, J. Cassman, S. van Hoften, J. Harrison, S. Petty, A. Chan, B. Fitzpatrick, B. Tietjen, L. Low, M. Jones, A. Obeso, A. Simmons, T. Burgwyn, D. Seamans, S. Wong

**1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Chair Charles Stone called the subcommittee meeting to order at 3:01 p.m. and led the Pledge of Allegiance.

**2. ROLL CALL**

District Secretary Dora Seamans called the roll and confirmed a quorum was present.

**3. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA**

Roland Lebrun, San Jose, commented on the Caltrain parking lot in Gilroy, grade crossing warning times, and the Staff Coordinating Council.

**4. APPROVE MEETING MINUTES OF APRIL 28, 2021**

Motion/Second: Heminger/Stone

Ayes: Heminger, Stone

Noes: None

Absent: Chavez

**5. APPROVE COMPATIBILITY OF PROPOSED BICYCLE AND PEDESTRIAN UNDERCROSSING FOR CALTRAIN CORRIDOR AT BERNARDO AVENUE IN SUNNYVALE AND MOUNTAIN VIEW**

Sebastian Petty, Deputy Chief of Planning, provided the presentation and covered the following topics:

- Background – Property Access Agreement process
- Rail Corridor Use Policy (RCUP) Compatibility Review: decision making process for a proposed non-railroad use
- Proposed project overview, conditions, and bicycle/pedestrian crossings in RCUP
- Caltrain Board process

Public comment

Roland Lebrun, San Jose, commented on a precedent in Palo Alto.

The Board members had a discussion and staff provided further clarification in response to the Board comments and questions regarding indemnification and who will own the undercrossing when the project is complete.

Motion/Second: Heminger/Stone

Ayes: Heminger, Stone

Noes: None

Absent: Chavez

**6. APPROVE 10-YEAR LEASE WITH PROMETHEUS REAL ESTATE GROUP AT THE SAN CARLOS CALTRAIN STATION**

Brian Fitzpatrick, Director of Real Estate & Property Development, provided the presentation covering the following:

- Background on the Depot building and development
- High level lease terms
- RCUP review, alternative approach, and recommendations

Public comment

Roland Lebrun, San Jose, commented on passing tracks.

The Board members had a discussion and staff provided further clarification in response to the Board comments and questions regarding having a five-year lease with three five-year extensions, and eviction rights.

Motion/Second: Heminger/Chavez

Ayes: Heminger, Stone

Noes: None

Absent: Chavez

**7. STATE AND FEDERAL LEGISLATIVE UPDATE**

Lori Low, Government and Community Affairs Officer, provided an update on the following:

- Seamless Bill is a two year bill
- Governor announced \$76 billion surplus for the California Comeback Plan, which included \$1 billion for transit rail projects that are a priority, \$107 million for zero emission rail transit, \$500 million for grade separations and improvements, and \$500 million for active transportation.

Public comment

Roland Lebrun, San Jose, commented on Metropolitan Transportation Commission voting to support Assembly Bill (AB) 1041 reducing the minimum parking requirements in new housing centers.

## **8. UPDATE ON SERVICE RESTORATION**

Ted Burgwyn, Director of Rail Networks and Operations Planning, provided the presentation on the following:

- Ongoing recovery planning efforts including vaccinations and reopening
- Regional transit service scaling up, service restoration goals, and fall service strategy/expansion
- Ongoing constraints, key tradeoffs, and next steps

### Public comment

Roland Lebrun, San Jose, commented on ridership patterns at the beginning of the pandemic and new hires.

Adrian Brandt, San Mateo County, commented on aggressive efforts to capture commuting ridership and not waiting on riders to increase service.

The Board members had a robust discussion and staff provided further clarification in response to the Board comments and questions on the following:

- Restoring baby bullet service to increase ridership
- Addressing telecommuting riders and weekend riders
- Returning voter investment in Caltrain
- Marketing the benefits of riding Caltrain and ensuring safety

## **9. COMMITTEE MEMBER REQUESTS**

None.

## **10. DATE/TIME OF NEXT REGULAR WPLP COMMITTEE MEETING: WEDNESDAY, JUNE 28, 2021 AT 3:00 PM VIA ZOOM**

## **11. ADJOURN**

The meeting adjourned at 3:59 p.m.

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

TO: JPB Work Program – Legislative – Planning Committee

THROUGH: Michelle Bouchard  
Acting Executive Director

FROM: Sebastian Petty  
Deputy Chief, Caltrain Planning

SUBJECT: **AUTHORIZE EXECUTION OF MEMORANDUM OF UNDERSTANDING WITH PROLOGIS 4<sup>th</sup> & KING LLC FOR JOINT DELIVERY OF THE CALTRAIN SAN FRANCISCO RAILYARDS PRELIMINARY BUSINESS CASE**

Finance Committee Recommendation     Work Program-Legislative-Planning Committee Recommendation     Staff Coordinating Council Reviewed     Staff Coordinating Council Recommendation

**ACTION**

Staff recommends that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB):

Authorize the Acting Executive Director to execute (1) a 24-month Memorandum of Understanding (MOU) with Prologis 4<sup>th</sup> & King LLC (Prologis) for the joint delivery of the San Francisco Railyards Preliminary Business Case and (2) any extensions of the MOU that may be necessary to complete the delivery of the San Francisco Railyards PBC

**SIGNIFICANCE**

Execution of the MOU with Prologis for the joint delivery of the Caltrain San Francisco Railyards Preliminary Business Case will allow for the start of an 24-month process to evaluate options for the potential redevelopment of the railyards.

Based on initial technical studies by Prologis, Caltrain and Prologis have agreed to undertake a robust Preliminary Business Case (PBC) to further investigate the feasibility and options related to the redevelopment of the railyards and to inform the decision making of both parties. The PBC would be based on the United Kingdom's "Green Book" that is used in various forms internationally to equip decision makers with the information needed to make investment decisions for a wide range of projects, including railroads, highways, dams, power stations, stadiums, and major events. A modified Business Case approach was used to develop Caltrain's Long Range Service Vision and the methodology is broadly considered a global best practice for analyzing significant public projects and investments.

The Caltrain-Prologis MOU will commit both parties to a cooperative working relationship to deliver the PBC. Work will be contracted by Caltrain through its planning on-call contracts, with funding provided by Prologis. After completion of the expected 24 -

month process, the PBC will culminate in a recommended redevelopment approach for the site. The PBC will seek to satisfy Caltrain's current and future operational needs and business objectives, the goals of Prologis, and the requirements of the Railyards MOU group partners. The results of the PBC will be presented to the Board for consideration and action and will be used to inform subsequent steps should redevelopment of the site move forward.

### **BUDGET IMPACT**

There is no budget impact associated with the authorizing the Acting Executive Director to enter into the MOU. The cost of work performed under the MOU will be paid for by Prologis and will be amended into the FY22 capital budget at such time as exact costs have been fully negotiated.

### **BACKGROUND**

The Caltrain San Francisco Railyards (4<sup>th</sup> and King Station) in Mission Bay is Caltrain's current San Francisco terminus and a critical operational asset. The underlying site is owned by Prologis (previously known as Catellus) and Caltrain operates the railyards and station through a perpetual operational easement on the surface as well as a limited height above the surface.

The Mission Bay neighborhood of San Francisco has experienced substantial new development and transformation over the last two decades, with intensifying population, density, and activity in the area. Given its prime location and proximity to significant transit assets including both Caltrain as well as existing and under-construction MUNI Metro lines, the railyards site has been considered and discussed as a potential redevelopment opportunity for a number of years by Prologis as well as Caltrain and the City and County of San Francisco. Interest in the potential redevelopment of the railyard was formalized in 2018 through the creation of a railyards-focused Memorandum of Understanding (MOU) working group ("the Railyards MOU group") that includes Caltrain, the City and County of San Francisco's Planning Department, Prologis, the Transbay Joint Powers Authority, the San Francisco County Transportation Authority, and the California High Speed Rail Authority. This group has served as a staff forum for the advancement of work related to the potential development of the site and for coordination of different projects and plans that have the potential to impact the railyard.

Prepared by:

Anthony Simmons  
Director of Systemwide Planning, Caltrain Planning

650.622.7831



**RESOLUTION NO. 2021-**

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STATE OF CALIFORNIA**

**\* \* \***

**AUTHORIZE EXECUTION OF MEMORANDUM OF UNDERSTANDING WITH PROLOGIS 4th &  
KING LLC FOR JOINT DELIVERY OF THE CALTRAIN SAN FRANCISCO RAILYARDS  
PRELIMINARY BUSINESS CASE**

**WHEREAS**, Prologis 4<sup>th</sup> & King, LLC ("Prologis") is the fee owner of the San Francisco Railyards ("Railyards"), bounded by 4<sup>th</sup> Street, King Street, 7<sup>th</sup> Street, and Townsend Street in Mission Bay, San Francisco, an area of approximately 20 acres; and

**WHEREAS**, the Peninsula Corridor Joint Powers Board ("JPB") owns and operates the Peninsula Corridor Commute Service (Caltrain), and the northern terminus of this service is currently located in the Railyards at a "temporary" station building constructed in the 1970's; and

**WHEREAS**, the JPB has a perpetual operating easement (the "Railyard Easement") on and over the Railyards for railroad, transportation, and communications purposes, which was obtained as part of the Purchase and Sale Agreement between the JPB, and the Southern Pacific Transportation Company; and

**WHEREAS**, Prologis, which owns fee title to the property burdened by the Railyard Easement, has long expressed a desire to develop the Railyards and has committed to a variety of studies to investigate viability, feasibility, and opportunity for such development; and

**WHEREAS**, during Prologis' development investigations, the surrounding Mission Bay neighborhood has experienced a substantial amount of new, denser, more

intensive development providing more residential, commercial, institutional, and social uses over the last several years; and

**WHEREAS**, the JPB has since developed a clearer understanding of its future service and system needs as codified in the JPB's 2040 Long Range Service Vision adopted in 2019, which supports enhanced operations, improved passenger experience, and value creation potential from assets; and

**WHEREAS**, the JPB and Prologis have now agreed to proceed with a formal robust and evidence-based joint investigation, a "San Francisco Railyards Preliminary Business Case" ("PBC"), that will examine potential site redevelopment outcomes that accommodate Caltrain's and Prologis' future needs; and

**WHEREAS**, the JPB and Prologis desire to enter into a Memorandum of Understanding for the joint delivery of the PBC within 24-month period, subject to extension by the parties if necessary to complete the PBC; and

**WHEREAS**, the City and County of San Francisco ("CCSF") also shares the goal of a redeveloped Railyards and enhanced transportation outcomes to support its previous, current, and future investments in MUNI rail lines, the Central Subway project, the Downtown Extension project, and the Pennsylvania Avenue Extension project; and

**WHEREAS**, the CCSF has developed a multi-disciplinary, multi-party Railyards Memorandum of Understanding ("Railyards MOU") with Caltrain, Prologis, San Francisco County Transportation Authority, Transbay Joint Powers Authority, and California High Speed Rail to coordinate the public plans and priorities at the site and to facilitate potential development of the site in an integrated manner; and

**WHEREAS**, the completed San Francisco Railyards PBC will be presented to the Board with recommended next steps (if any) for the development of the San

Francisco Railyards, and subsequently, will be provided to the Railyards MOU as input into their coordinated planning efforts.

**NOW, THEREFORE, BE IT RESOLVED** that Peninsula Corridor Joint Powers Board hereby approves the Memorandum of Understanding with Prologis 4<sup>th</sup> & King, LLC for the joint delivery of the San Francisco Railyards Preliminary Business Case and authorizes the Acting Executive Director to execute the MOU and any extensions of it that may be necessary to complete the delivery of the San Francisco Railyards PBC if in the best interests of the JPB to do so.

Regularly passed and adopted this 1<sup>st</sup> day of July, 2021 by the following vote:

AYES:

NOES:

ABSENT:

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Chair, Peninsula Corridor Joint Powers Board

ATTEST:

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JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

TO: JPB Work Program – Legislative – Planning Committee

THROUGH: Michelle Bouchard  
Executive Director, Caltrain

FROM: Sebastian Petty  
Deputy Chief, Planning, Caltrain

SUBJECT: **UPDATE ON SERVICE RESTORATION**

Finance Committee Recommendation     Work Program-Legislative-Planning Committee Recommendation     Staff Coordinating Council Reviewed     Staff Coordinating Council Recommendation

**ACTION**

This item is for information only.

**SIGNIFICANCE**

Caltrain is currently operating a reduced, 70-train per weekday service based on the significant reduction in demand resulting from the COVID-19 Pandemic. The current service has been developed to conserve agency resources while continuing to provide a foundational level of regional rail service to communities in San Francisco, San Mateo and Santa Clara counties.

As the COVID-19 Pandemic recedes and the region and state relax and lift public health orders, transit operators across the region are preparing to adjust and restore service. Caltrain is developing plans for a service change and expansion to coincide with BART's recently announced intention to operate an expanded service starting on August 30<sup>th</sup>. This restoration will allow the railroad to provide a competitive service offering as some employees return to in-office work and in-person education resumes. The planned service change also provides a further opportunity to continue implementation of the Equity, Connectivity Recovery and Growth Framework adopted by the Board in 2020 – with an emphasis on providing improved service at all times of day, a simplified set of stopping patterns, and coordinated connections with other transit operators at key regional transfer points. At the same time, Caltrain must manage the planned restoration of service while still balancing constraints created by significant ongoing construction activities, staffing availability and overall financial capacity.

After careful deliberation and consultation with various stakeholders, staff is ready to present the fall service plan at the July JPB meeting. Once the timetable is drafted it

will be distributed to partner agencies to coordinate transfers and showcased as part of the "Welcome Back to Transit" marketing campaign. The new schedule will go into effect Monday, August 30, 2021, to coincide with the first day of BART's new schedule.

### **BUDGET IMPACT**

There is no budget impact associated with receiving this informational update. The restoration of service described has been incorporated into the FY22 operating budget.

### **BACKGROUND**

Starting in March of 2020, the emergence of the COVID-19 Pandemic resulted in a rapid and severe crisis for the railroad, with ridership plummeting by as much as 98%. Caltrain quickly implemented significant service cuts and has been restoring and adjusting service over subsequent months as the pandemic has continued.

At the June 2020 Board Meeting, staff announced that activity on the Caltrain Business Plan would pause and pivot toward COVID Recovery Planning efforts. At the September 2020 Board Meeting the Board adopted the Equity, Connectivity, Recovery & Growth Framework (the Framework) – a significant policy document that outlines Caltrain's approach to recovering from the COVID-19 Pandemic and growing the system in a manner consistent with the larger Business Plan process. The framework includes specific policies and actions that describe how Caltrain can recover in a way that emphasizes improving equity outcomes on the system and enhancing connectivity to the region's transit network.

The Equity, Connectivity, Recovery & Growth Framework was used to develop a reduced, 70 train per weekday service that was implemented at the end of 2020 and adjusted in March of 2021 to coincide with an update to BART's timetable. This service focused on initial implementation of the Framework by providing a simplified set of train patterns, improved midday and weekend service levels, and coordinated connections at the Millbrae BART station.

The service restoration will build off these improvements and not only restore service to pre-pandemic levels, but will also provide additional enhancements to capture new ridership markets and adjust to changing travel behaviors. This includes increased train frequencies at most stations throughout the day, along with a variety of new limited and "Baby Bullet" express trains to provide a competitive and reliable transit service to the region.

Prepared by:

Ted Burgwyn, Director,  
Rail Network and Operations Planning, Caltrain

650-551-6139

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

TO: JPB Work Program-Legislative - Planning Committee

THROUGH: Michelle Bouchard  
Acting Executive Director

FROM: Rona Rios  
Chief Communications Officer, Acting

SUBJECT: **STATE AND FEDERAL LEGISLATIVE UPDATE**

Finance Committee Recommendation     Work Program-Legislative-Planning Committee Recommendation     Staff Coordinating Council Reviewed     Staff Coordinating Council Recommendation

**ACTION**

Staff recommends that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) receives the attached memos. Staff will provide regular updates to the Board in accordance with Legislative Program.

**SIGNIFICANCE**

The 2021 Legislative Program establishes the principles that will guide the legislative and regulatory advocacy efforts. Based on those principles, staff coordinates closely with our Federal and State advocates on a wide variety of issues that are considered in Congress and the State legislature. The attached reports highlight the recent issues and actions that are relevant to the Board.

Prepared By: Lori Low  
Government and Community Relations Officer

650-508-6391



June 11, 2021

TO: Caltrain Board of Directors

FM: Joshua W. Shaw, Matt Robinson & Michael Pimentel, Shaw Yoder Antwih Schmelzer & Lange  
Mike Robson & Bridget McGowan, Edelstein Gilbert Robson & Smith LLC

RE: **STATE LEGISLATIVE UPDATE – July 2021**

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### **General Update**

The Legislature just reached another significant legislative deadline – June 4 marked the house of origin deadline, where all bills had to pass out of the house where they were introduced. Both houses have imposed bill caps, limiting each Senator and Assemblymember to 12 bills that can pass into the second house. Because of this factor, we saw many bills not come up for a vote in time for the house of origin deadline.

Now that bills are in the second house, policy committees will begin to ramp up again. Legislators have until July 7 for bills to pass out of policy committees before facing the fiscal committee.

### **2021-22 State Budget**

As we reported last month, Governor Newsom released his update to the FY 2021-22 Proposed Budget, known as the [May Revise](#) on May 14 and noted the state's current fiscal position will set the state up for a comeback. The Governor's revised \$267.8 billion budget highlights several of the Administration's priorities. The Governor's focus remains on pandemic response & relief, healthcare (vaccines), public education (school reopening), economic recovery (including stimulus and tax breaks), homelessness & housing affordability, rent relief, wildfire response & climate change, and transportation. Building on recent news reports, the Governor stated today that California will see an unprecedented \$75.7 billion surplus. As a result, in addition to increased spending on the state's priorities noted above, the Governor is proposing to pay down retirement liabilities and set aside \$24.4 billion in reserves. At the heart of the budget is the Governor's proposed investment of \$100 billion in new economic stimulus - dubbed the "*California Comeback Plan*" - supported by the state's improved state budget revenues. Included in the Plan is a proposed \$11 billion investment in transportation.

On June 1, Legislative Leaders announced a [budget agreement](#) of their own, roughly the same size as the budget released by the Governor in May, but with different spending priorities. The agreement was approved by the Budget Committees in both houses on June 2. As we approach the constitutional deadline for the Legislature to pass a balanced state budget (of June 15), it appears that the Governor and Legislative Leaders are still far apart on several big picture items. As such, the Legislature may act on its own version of the budget, representing the consensus priorities agreed to by the two Democratic Legislative Leaders, while the Legislative Leaders continue negotiations with the Governor on the

outstanding big picture items, which could be included in a “baby budget” bill later this year. To that end, budget bills to move the consensus priorities of Legislative Leaders and their respective caucuses forward are now in print as two identical measures: [SB 112 \(Committee on Budget and Fiscal Review\)](#) and [AB 128 \(Committee on Budget\)](#).

AB 128 is expected to be the legislative vehicle for the state budget and will be voted on by the June 15 deadline. The bills include the following proposed *supplemental* investments benefitting transportation:

- **\$2.5 billion** for the Transit and Intercity Rail Capital Program
  - Of that total, **\$1 billion** is expected to be directed to projects related to the 2028 Olympics.
  - Of that total, **\$1 billion** is expected to be directed to “priority transit and rail projects.”
  - The remaining balance is expected to be directed to grade separations.
- **\$2.267 billion** for a “Zero-Emission Vehicle Package”
  - Of that total, **\$407 million** is expected to be directed to the purchase, lease or demonstration of zero-emission rail and transit equipment and infrastructure for intercity rail and bus service.
  - The remaining balance is expected to be directed to light-, medium- and heavy-duty vehicle deployment, including for buses and trucks; per the budget bills, the exact allocations will be “*contingent upon future legislation.*”
- **\$500 million** for the Active Transportation Program
- **\$10 million** for the UC Institute of Transportation Studies

The budget bills do not yet include the proposed Cap and Trade Expenditure Plan, which is expected to advance later this summer through a separate budget trailer bill, following continued negotiations; nor do they include the Governor’s proposed \$4.2 billion investment in the California high-speed rail project, which is still the subject of ongoing negotiations between Legislative Leaders and Governor Newsom. The budget bills also do not yet include the statutory relief measure for transit agencies pursued this year, which are expected to be included in a separate budget trailer bill later this summer.

### **Governor Newsom Announces Plans to Lift Pandemic Executive Orders**

On June 11, Governor Newsom took action to lift pandemic executive orders as the state moves [Beyond the Blueprint](#) next week to fully, safely reopen. That includes terminating the Stay-at-Home Order that was implemented early in the pandemic to protect Californians and retiring the Blueprint for a Safer Economy. Effective June 15, restrictions such as physical distancing and capacity limits – including on public transit vehicles – and the county tier system will end.

The Governor is also continuing the wind down of executive actions put in place since March 2020 to help facilitate a coordinated response to the pandemic and ensure the state could quickly and efficiently respond to the impacts of the pandemic. A subset of provisions that facilitate the ongoing recovery will remain in place.

A copy of the order terminating the Stay-at-Home Order and the Blueprint for a Safer Economy can be found [here](#). A copy of the order rolling back additional pandemic order provisions can be found [here](#).



## High Speed Rail

Yesterday, the state and the US Department of Transportation finalized negotiations to restore \$929 billion in funding for California's High Speed Rail that was rescinded by the previous federal Administration in 2019.

## Legislation of Interest

**AB 361 (R. Rivas) Open Meetings: Teleconference.** This bill would allow a local agency to use teleconferencing without complying with the Brown Act when holding a meeting to declare or ratify a local emergency when state/local health officials have required or recommended social distancing. The bill would require that teleconferenced meetings provide notice of the meeting, post agendas, and means for public comment. Further, the bill prohibits local bodies from requiring public comment in advance of the meeting. It also requires the body to make a series of findings related to the emergency 30 days after each meeting and every 30 days thereafter.

The bill is currently in the Senate and was referred to both the Senate Governance and Finance Committee and the Senate Judiciary Committee. It has not yet been set for hearing.

**AB 1260 (Chen) - Transit CEQA Exemption.** This bill establishes a temporary CEQA exemption until Jan 1, 2023, for public transit projects to construct/maintain infrastructure to charge or refuel zero-emission trains.

The bill is currently in the Senate and was referred to the Senate Environmental Quality Committee but has not been set for hearing.

**SB 44 (Allen) – CEQA Streamlining for Transit.** This bill would allow certain transit projects that meet environmental and labor requirements to have a streamlined judicial review period for CEQA. This is the new legislative effort after SB 757 (Allen) was vetoed last session because it was tied to SB 995. *Support.*

This bill is in the Senate and has been referred to the Senate Natural Resources Committee and the Senate Judiciary Committee. It has not been set for hearing yet.

## Grants

In late-2020, the California Transportation Commission [awarded grants](#) for three SB 1 programs – the [Solutions for Congested Corridors Program](#) (SCCP), [Local Partnership Program](#) (LPP), and the [Trade Corridor Enhancement Program](#) (TCEP). In total, approximately \$2 billion was awarded for 56 new projects throughout the state to reduce traffic, improve goods movement, increase transit service, expand California's managed lanes network, and invest in bicycle and pedestrian improvements. According to the CTC, the funded projects would create more than 100,000 jobs over the next several years. The CTC will solicit applications for the next round of funding in the fall of 2021. Additionally, we expect the [Transit and Intercity Rail Capital Program](#) (TIRCP) to follow a similar schedule. We will provide more information as it becomes available.

**Grade Separation Funding** - Below is a list of the funding sources that we are aware of and/or that have been used to fund grade separations in the recent years. The funding sources below are managed across

various state agencies and departments, including the Public Utilities Commission (PUC), the California State Transportation Agency (CalSTA), the California Transportation Commission (CTC), and Caltrans.

PUC Section 190 Grade Separation Program – The Program is a [state funding program](#) to grade separate crossings between roadways and railroad tracks and provides approximately \$15 million annually, transferred from Caltrans. Agencies apply to the PUC for project funding.

State Transportation Improvement Program – The STIP, managed by Caltrans and programmed by the CTC, is primarily used to fund highway expansion projects throughout the state, but also supports grade separations. The STIP is programmed every two years (currently the 2018 STIP added \$2.2 billion in new funding). Local agencies receive a share of STIP funding, as does the State. The STIP is funded with gasoline excise tax revenues.

Transit and Intercity Rail Capital Program – The TIRCP is managed by CalSTA and is available to fund rail and transit projects that reduce greenhouse gas emissions. The program receives funding from Cap and Trade and the recently created Transportation Improvement Fee to the tune of approximately \$500 million per year. The TIRCP is programmed over 5 years, with the most recent cycle beginning in May 2018. Caltrain received \$160 million for the CalMod project.

Proposition 1A – This \$9.9 billion Bond Act is the primary funding source for the high-speed rail project and has been used to fund a very limited number of grade separation projects in the past, including in the City of San Mateo.

# Caltrain

## State Legislative Matrix 6/11/2021

### ACTIVE BILLS

Bill Number (Author)	Summary	Location	Position
<p><a href="#">AB 339</a> (<a href="#">Lee D</a>)</p> <p>Local government: open and public meetings.</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. Under existing law, a member of the legislative body who attends a meeting where action is taken in violation of this provision, with the intent to deprive the public of information that the member knows the public is entitled to, is guilty of a crime. This bill would, until December 31, 2023, require all open and public meetings of a city council or a county board of supervisors that governs a jurisdiction containing least 250,000 people to include an opportunity for members of the public to attend via a telephonic option or an internet-based service option. The bill would require all open and public meetings to include an in-person public comment opportunity, except in specified circumstances during a declared state or local emergency. The bill would require all meetings to provide the public with an opportunity to comment on proposed legislation in person and remotely via a telephonic or an internet-based service option, as provided. This bill contains other related provisions and other existing laws.</p> <p>Amended: 5/4/2021</p>	<p>Senate Rules</p>	<p>Watch</p>
<p><a href="#">AB 361</a> (<a href="#">Rivas, Robert D</a>)</p> <p>Open meetings: local agencies: teleconferences.</p>	<p>Existing law, the Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to directly address the legislative body on any item of interest to the public. The act generally requires all regular and special meetings of the legislative body be held within the boundaries of the territory over which the local agency exercises jurisdiction, subject to certain exceptions. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an</p>	<p>Senate Gov. &amp; F.</p>	<p>Watch</p>

Bill Number (Author)	Summary	Location	Position
	<p>agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. The act authorizes the district attorney or any interested person, subject to certain provisions, to commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that specified actions taken by a legislative body are null and void. This bill would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting for the purpose of declaring or ratifying a local emergency, during a declared state of emergency or local emergency, as those terms are defined, when state or local health officials have imposed or recommended measures to promote social distancing, and during a declared local emergency provided the legislative body determines, by majority vote, that meeting in person would present imminent risks to the health or safety of attendees. The bill would require legislative bodies that hold teleconferenced meetings under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option, and to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body. The bill would require the legislative body to take no further action on agenda items when there is a disruption which prevents the public agency from broadcasting the meeting, or in the event of a disruption within the local agency's control which prevents members of the public from submitting public comments, until public access is restored. The bill would specify that actions taken during the disruption are subject to challenge proceedings, as specified. The bill would prohibit the legislative body from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. When there is a continuing state of emergency, local emergency, or when state or local officials have imposed or recommended measures to promote social distancing, the bill would require a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting pursuant to these provisions, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures. This bill contains other related provisions and other existing laws.</p> <p>Amended: 5/10/2021</p>		

Bill Number (Author)	Summary	Location	Position
<p><a href="#">AB 1157</a> (<a href="#">Lee D</a>)</p> <p>Controller: transportation funds: distribution and reporting requirements.</p>	<p>Existing law, for purposes of the State Transit Assistance Program, requires local transportation agencies to report to the Controller by June 15 of each year the public transportation operators within its jurisdiction that are eligible to claim specified local transportation funds. This bill would instead require local transportation agencies to report this information within 7 months after the end of each fiscal year. This bill contains other related provisions and other existing laws.</p> <p>Amended: 3/15/2021</p>	<p>Senate Transportation</p> <p>6/15/2021 9 a.m. - Senate Chamber SENATE TRANSPORTATION, GONZALEZ, LENA, Chair</p>	<p>Watch</p>
<p><a href="#">AB 1260</a> (<a href="#">Chen R</a>)</p> <p>California Environmental Quality Act: exemptions: transportation-related projects.</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill contains other existing laws.</p> <p>Introduced: 2/19/2021</p>	<p>Senate Environmental Quality</p> <p>6/28/2021 9 a.m. - John L. Burton Hearing Room (4203) SENATE ENVIRONMENTAL QUALITY, ALLEN, Chair</p>	<p>Watch</p>
<p><a href="#">ACA 1</a> (<a href="#">Aguiar-Curry D</a>)</p> <p>Local government financing: affordable housing and public infrastructure: voter approval.</p>	<p>(1)The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements. The measure would specify that these provisions apply to any city, county, city and county, or special district measure imposing an ad valorem tax to pay the interest and redemption charges on bonded indebtedness for these purposes that is submitted at the same election as this measure. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 12/7/2020</p>	<p>Assembly Local Government</p>	<p>Supported February 2021</p>

Bill Number (Author)	Summary	Location	Position
<p><a href="#">SB 44</a> (<b>Allen D</b>)</p> <p>California Environmental Quality Act: streamlined judicial review: environmental leadership transit projects.</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to CEQA. This bill would provide that no reimbursement is required by this act for a specified reason. This bill contains other existing laws.</p> <p>Amended: 4/27/2021</p>	<p>Assembly Natural Resources</p>	<p>Supported February 2021</p>
<p><a href="#">SB 339</a> (<b>Wiener D</b>)</p> <p>Vehicles: road usage charge pilot program.</p>	<p>Existing law requires the Chair of the California Transportation Commission to create a Road Usage Charge (RUC) Technical Advisory Committee in consultation with the Secretary of Transportation. Under existing law, the purpose of the technical advisory committee is to guide the development and evaluation of a pilot program to assess the potential for mileage-based revenue collection as an alternative to the gas tax system. Existing law requires the technical advisory committee to study RUC alternatives to the gas tax, gather public comment on issues and concerns related to the pilot program, and make recommendations to the Secretary of Transportation on the design of a pilot program, as specified. Existing law repeals these provisions on January 1, 2023. This bill would extend the operation of these provisions until January 1, 2027. The bill would require the Transportation Agency, in consultation with the California Transportation Commission, to implement a pilot program to identify and evaluate issues related to the collection of revenue for a road charge program, as specified. The bill would require the RUC Technical Advisory Committee to make recommendations to the Transportation Agency on the design of the pilot program, including the group of vehicles to participate. The bill would require that if a group of vehicles other than state-owned vehicles is selected, that participation in the program be voluntary. The bill would require the Transportation Agency to convene a state agency work group, as specified, to implement the pilot program and to design a process for collecting road charge revenue from vehicles. The bill would require that participants in the program be charged a mileage-based fee, as specified, and receive a credit or a refund for fuel taxes or electric vehicle fees, as specified. The bill would require that the pilot program not affect funding levels for a program or purpose supported by state fuel tax and electric vehicle fee revenues. The bill would require the Transportation Agency to submit reports to the Legislature, as specified.</p>	<p>Assembly Transportation</p> <p>6/21/2021 Upon adjournment of Session - State Capitol, Assembly Chamber ASSEMBLY TRANSPORTATION, FRIEDMAN, Chair</p>	<p>Supported April 2021</p>

Bill Number (Author)	Summary	Location	Position
	Amended: 5/20/2021		
<p><a href="#">SB 674</a> (<a href="#">Durazo D</a>)</p> <p>Public Contracts: workforce development: transportation-related contracts.</p>	<p>Existing law establishes the Labor and Workforce Development Agency, under the supervision of the Secretary of Labor and Workforce Development. Existing law establishes within the Labor and Workforce Development Agency, the Department of Industrial Relations, to foster, promote, and develop the welfare of the wage earners of California and to advance their opportunities for profitable employment, among other duties. This bill would require the Labor and Workforce Development Agency to develop a program, known as the California Jobs Plan Program, to meet specified objectives, including, as a component of applications for covered public contracts, as defined, creation of a form that states the minimum numbers of proposed jobs that are projected to be retained and created if the applicant wins the covered public contract, and proposed wages, benefits, and investment in training. That component of the application would be known as the California Jobs Plan, as defined. Other objectives of the program, pursuant to the bill, would include supporting the hiring of displaced workers and individuals facing barriers to employment, as defined; encouraging the development of the state's long-term green transportation and related infrastructure and manufacturing sector; and protecting public health by supporting the adoption of specific protections for worker health and safety. This bill contains other related provisions and other existing laws.</p> <p>Amended: 5/20/2021</p>	Assembly Labor and Employment	Watch
<p><a href="#">SB 771</a> (<a href="#">Becker D</a>)</p> <p>Sales and Use Tax Law: zero emissions vehicle exemption.</p>	<p>Existing state sales and use tax laws impose a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. The Sales and Use Tax Law provides various exemptions from those taxes. This bill, on or after January 1, 2022, would provide an exemption from those taxes with respect to the sale in this state of, and the storage, use, or other consumption in this state of, a qualified motor vehicle, as defined, sold to a qualified buyer, as defined. The bill would provide that this exemption does not apply to specified state sales and use taxes from which the proceeds are deposited into the Local Revenue Fund, the Local Revenue Fund 2011, or the Local Public Safety Fund. This bill contains other related provisions and other existing laws.</p> <p>Amended: 5/11/2021</p>	Assembly Desk	Watch

Bill Number (Author)	Summary	Location	Position
<h2>Inactive Bills</h2>			
<p><a href="#">AB 5</a> (Fong R)</p> <p>Greenhouse Gas Reduction Fund: High-Speed Rail Authority: K-12 education: transfer.</p>	<p>The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include in its regulation of those emissions the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund. Existing law continuously appropriates 25% of the annual proceeds of the fund to the High-Speed Rail Authority for certain purposes. This bill would suspend the appropriation to the High-Speed Rail Authority for the 2023-24 and 2024-25 fiscal years and would require the transfer of those amounts from moneys collected by the state board to the General Fund. The bill would specify that the transferred amounts shall be available, upon appropriation, to augment funding for K-12 education and to support full-time in-person instruction for all students.</p> <p>Amended: 3/17/2021</p>	<p>Assembly 2 year</p>	<p>Watch</p>
<p><a href="#">AB 476</a> (Mullin D)</p> <p>Department of Transportation: state highways: transit bus pilot program.</p>	<p>Existing law vests the Department of Transportation with full possession and control of the state highway system and associated real property. Existing law generally requires vehicles to be driven upon the right 1/2 of a roadway, defined to include only that portion of a highway improved, designed, or ordinarily used for vehicular travel. Existing law generally prohibits the driver of a vehicle from overtaking and passing another vehicle by driving off the paved or main-traveled portion of the roadway. Existing law authorizes the Monterey-Salinas Transit District and the Santa Cruz Metropolitan Transit District to conduct a transit bus-only program using the shoulders of certain state highways as transit bus-only traffic corridors, subject to approval by the Department of Transportation and the Department of the California Highway Patrol. Existing law requires that the highway segments to be used for the program are to be jointly determined by the districts, the department, and the Department of the California Highway Patrol, as provided. This bill would authorize the Department of Transportation to establish a pilot program to authorize a transit operator or operators to operate transit buses on the shoulders of state highways, under a project selected under the program. The bill would authorize an operator or operators, in partnership with a regional transportation agency that meets specified requirements, to submit an application to the department to establish and operate a project under the program. The bill would authorize the department to select no more than 8 total projects under the program using guidelines developed with input from the Department of the California Highway Patrol and the public. The bill would require the department, the Department of the California Highway Patrol, and the operator or operators and regional transportation agency that submitted the application to jointly</p>	<p>Assembly 2 year</p>	<p>Watch</p>



Bill Number (Author)	Summary	Location	Position
	<p>determine the state highways, or segment of state highways, that will be used in a project. The bill would require the applicable regional transportation agency to be responsible for all costs attributable to the project. Two years after commencing a project, the bill would require an operator or operators, in conjunction with the applicable regional transportation agency, to submit a report to the Legislature that includes certain information about the project.</p> <p>Amended: 3/16/2021</p>		
<p><a href="#">AB 629</a> (<a href="#">Chiu D</a>) San Francisco Bay area: public transportation.</p>	<p>(1)Existing law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relative to providing public transit services. This bill would require the commission on or before February 1, 2022, to submit a copy of a specified transit fare study undertaken by the commission to certain committees of the Legislature. The bill would require the commission to submit a report on or before January 1, 2023, to those entities on the progress of implementing the recommendations of that study. This bill contains other related provisions and other existing laws.</p> <p>Amended: 3/22/2021</p>	<p>Assembly 2 year</p>	<p>Watch</p>
<p><a href="#">AB 703</a> (<a href="#">Rubio, Blanca D</a>) Open meetings: local agencies: teleconferences.</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would remove the notice requirements particular to teleconferencing and would revise the requirements of the act to allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda, provided that the public is allowed to observe the meeting and address the legislative body directly both in person and remotely via a call-in option or internet-based service option, and that a quorum of members participate in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the jurisdiction. The bill would require that, in each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the</p>	<p>Assembly 2 year</p>	<p>Watch</p>

Bill Number (Author)	Summary	Location	Position
	<p>meeting is otherwise posted, the local agency also give notice of the means by which members of the public may observe the meeting and offer public comment and that the legislative body have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act, as provided. This bill contains other related provisions and other existing laws.</p> <p>Amended: 4/29/2021</p>		
<p><a href="#">AB 823</a> (Gray D) High-Speed Rail Authority: trains powered by fossil fuel combustion engines.</p>	<p>The California High-Speed Rail Act creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. Existing law requires the high-speed rail system to be designed to use electric trains. Existing law authorizes the authority, upon receiving legislative or voter approval, to enter into contracts with private or public entities for the design, construction, and operation of high-speed trains. This bill would prohibit the authority from directly or indirectly using local, state, federal, or any other public or private funding to purchase, lease, operate, or maintain a passenger or freight train powered by a diesel engine or other type of fossil fuel combustion engine, and from enabling such a train to operate on authority-owned rail infrastructure designed for speeds in excess of 125 miles per hour, except as specified.</p> <p>Introduced: 2/16/2021</p>	<p>Assembly 2 year</p>	<p>Watch</p>
<p><a href="#">AB 1116</a> (Friedman D) High-Speed Rail Authority: oversight: Legislative Analyst's Office.</p>	<p>Existing law creates the High-Speed Rail Authority with specified powers and duties related to the development and implementation of a high-speed train system. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, statewide general election, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related rail purposes. This bill would require the Legislative Analyst's Office, for the purpose of reviewing the planning, financing, expenditures, and other elements of the statewide high-speed rail system, to review any materials submitted to the authority and documents the authority requests from contractors, consultants, or external parties, as specified, and to provide recommendations to the policy and budget committees of the Legislature regarding the statewide high-speed rail system and the development of shared mobility systems statewide. The bill would require the authority, and any entity contracting with the authority, to provide to the Legislative Analyst's Office any information that it requests and to permit representatives of the Legislative Analyst's Office to attend the authority's internal meetings. The bill would repeal these requirements on January 1, 2031.</p> <p>Introduced: 2/18/2021</p>	<p>Assembly 2 year</p>	<p>Watch</p>

Bill Number (Author)	Summary	Location	Position
<p><a href="#">AB 1235</a> (<a href="#">Patterson R</a>)</p> <p>High-speed rail: legislative oversight.</p>	<p>The California High-Speed Rail Act creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. Existing law requires the authority, on or before March 1, 2017, and every 2 years thereafter, to provide a project update report, approved by the Secretary of Transportation as consistent with specified criteria, to the budget committees and the appropriate policy committees of both houses of the Legislature, on the development and implementation of intercity high-speed train service, as provided. This bill would create the Joint Legislative High-Speed Rail Oversight Committee consisting of 3 Members of the Senate and 3 Members of the Assembly to provide ongoing and independent oversight of the high-speed rail project by performing specified duties, and would require the committee to make recommendations to the appropriate standing policy and budget committees of both houses of the Legislature to guide decisions concerning the state's programs, policies, and investments related to high-speed rail. The bill would require the authority to provide the committee with certain documents and information within prescribed timelines, and would require the authority to permit the chairperson of the committee, or the chairperson's designee, to attend meetings of any internal governance committees related to project oversight, as provided.</p> <p>Introduced: 2/19/2021</p>	<p>Assembly 2 year</p>	<p>Watch</p>

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## Caltrain As of June 16, 2021 Transportation Report

### Senate Panel Approves \$304 Billion Highway Reauthorization Bill

- On May 26, the Senate Environment and Public Works (EPW) Committee (jurisdiction over highways) passed its surface transportation authorization [bill](#) unanimously. The bill would authorize \$311 billion over five years for fund roads and highways.
- The Senate bill would authorize a 34 percent funding increase compared with the last long-term surface transportation law, the FAST Act, passed in 2015.
- Bill highlights:
  - Authorizes \$304 billion for highway programs, a 22% increase over current funding. California would receive \$25,304,432,195 in highway funding.
  - Creates a \$2.5 billion electric vehicle (EV) grant program
  - Increases funding for the existing INFRA freight and goods movement grant program
  - Creates a \$6.4 billion carbon reduction formula program to reduce transportation emissions
  - Establishes a \$250 million congestion relief competitive grant program to reduce highway congestion, economic and environmental costs related to congestion, and to optimize existing highway capacity and usage of transit systems that provide alternatives to highways.
  - Creates a \$1.4 billion formula and competitive grant program for resiliency improvement, community resilience and evacuation route grants, and at-risk coastal infrastructure
  - Establishes a \$500 million community connectivity pilot grant program to study the feasibility and impacts of removing or mitigating existing transportation facilities that create barriers to mobility, access, or economic development and to construct projects to remove or mitigate these barriers (*a priority of Senator Padilla and Majority Leader Schumer*)
  - Continues to set aside \$245,000,000 funding annually from the Highway Safety Improvement Program (HSIP) for the Section 130 Railway-Highway Crossings program (same as FAST Act). Increases the Federal share for projects from 90 to 100 percent, as well as clarifies that the replacement of functionally obsolete warning devices is an eligible expense. Allows states to fund projects to reduce pedestrian fatalities and injuries from trespassing at grade crossings.
- While the Senate EPW is moving swiftly on the highway title of the surface transportation bill, the Senate Committee on Commerce, Science and Transportation

(oversees rail and safety) and Senate Banking, Housing and Urban Affairs (oversees pay-fors) are still working on their portions of the bill.

### **House T&I Committee Passes INVEST in America Act**

- On June 4, the House Transportation and Infrastructure (T&I) Committee [unveiled](#) a five-year, \$547 billion surface transportation reauthorization, the INVEST in America Act. The bill authorizes \$547 billion over five years for highways, transit, rail, and safety programs—80% increase over current funding.
  - Provides \$26,957,166,116 in highway funding and \$1,436,997,083 in transit funding for the state of California over 5 years.
- On June 10, the House T&I Committee passed the INVEST Act by a party line vote of 38-26. Only two Republicans voted for the bill. A House floor vote on the bill is slated for the week of June 28th.
- The bill aligns with many of President Joe Biden’s infrastructure goals. The legislation “puts a core piece of President Biden’s American Jobs Plan into legislative text,” House Transportation and Infrastructure Chair Peter DeFazio (D-Ore.) said.
- For the first time in 16 years, the House transportation authorization bill includes member designated projects (earmarks). Caltrain received a member designated project--\$315,000 for the Caltrain Crossing Optimization Project.
- INVEST Act Highlights:
  - \$4 billion for EV charging infrastructure
  - Creates a new grant program authorized at \$2.5 billion over five years to build or improve grade crossing separations.
  - Allows commuter rail project to be eligible for the Consolidated Rail Infrastructure And Safety Improvements (CRISI) grant program.
  - \$8.3 billion for new carbon pollution programs
  - Creates a demonstration reduced-fare pilot program to improve access for low-income transit riders
  - Streamlines the Capital Investment Grant program and includes incentives for projects that preserve or encourage higher density affordable housing
  - \$3 billion for a program that seeks to reconnect communities divided by highways.
  - Provides funding for corridor planning and development of high-speed rail projects, reducing traffic congestion and shortening travel times
  - Creates a \$12 billion Projects of National and Regional Significance (PNRS) program for large highway, transit, and passenger and freight rail projects—similar to existing INFRA
  - Establishes a \$500 million Gridlock Reduction Grant program for large metropolitan areas.

## **Biden Unveils FY 2022 Budget Proposal**

- On May 28, the White House released President Joe Biden's \$6 trillion [proposed budget](#) requested for federal spending in fiscal year (FY) 2022. The President's budget proposal serves as a fiscal blueprint for the administration's policy priorities and signals to Congress what the White House hopes to accomplish over the coming year. It also provides a detailed look at how the president's spending and revenue proposals would affect federal deficits and debt. It includes the administration's assumptions about how those policies would affect economic growth, inflation and interest rates.
- The budget includes \$74,043,407 for the Peninsula Corridor Electrification project.
- The budget details the president's ambitions to dramatically expand the size and scope of the federal government. The budget will call for about \$6 trillion in spending in FY 2022--exceeding the national debt at a record level seen at the end of World War II.
- The Department of Transportation's (DOT) FY 2022 budget request is \$88.2 billion, an increase of \$352 million, or 0.4 percent, over the FY 2021 enacted level.
- The budget proposes \$47 billion for the Federal Highway Administration (FHWA), same as the FAST Act authorization
- The budget proposes \$13.5 billion for the Federal Transit Administration (FTA), a 4.1 percent increase (\$535 million) above FY 2021 enacted levels.
  - The budget requests a 23 percent increase (\$459 million) in the Capital Investment Grants account and \$550 million for Transit Infrastructure Grants, which includes \$250 million for the Zero Emission Bus Program.
  - Also under FTA, plus-ups would go to the following:
    - \$200 million for a Transit Modernization Sprint Program to "fund competitive grants to reduce the more than \$105 billion transit state-of-good-repair backlog and accelerate equitable economic growth and competitiveness."
    - \$50 million for a Climate Resilience and Adaptation Program to "fund competitive grants to improve the resilience of transit assets to climate-related hazards by protecting transit stations, tunnels, tracks, and other infrastructure from flooding, extreme temperatures, and other climate-related hazards."
    - \$50 million for an Integrated Smart Mobility Program to "fund up to five pilot projects that will support transit agencies in adopting innovative approaches to mobility that will improve safety, accessibility, and equity in access to community services and economic opportunities, including first- and last-mile operations."
- \$1 billion for RAISE grants, formerly known as TIGER/BUILD.

### ***Appropriations***

- With the release of the president’s budget, Congress will begin to draft FY 2022 appropriations bills.
  - The House appropriations subcommittees are expected to begin the process of voting on FY 2022 spending bills on June 24, with full committee votes held June 29 through July 16.
  - Senate appropriations subcommittees considerations of the spending bills is expected to begin in July.
  - Congress has until the end of September – when FY 2021 funding levels lapse – to pass new spending bills.

## **Infrastructure Update**

- On March 31, President Joe Biden introduced the American Jobs Plan of 2021. The framework requests \$2 trillion over eight years to modernize the nation's infrastructure. The infrastructure plan includes funding for roads, bridges, and ports, and also addresses resiliency, the climate crisis, broadband access, waterways, and housing.
- The second half of Biden’s infrastructure proposal, known as the American Families Plan, includes a \$1.8 trillion for major investments in education, child care, and paid family leave.
- President Biden and top GOP negotiator Sen. Shelley Moore Capito (R- W.V.) were not able to reach an agreement during negotiations, so the White House has shifted course to talks with a bipartisan group of 10 senators led by Sens. Kyrsten Sinema (D-Ariz.) and Rob Portman (R-Ohio).
- The group has proposed a framework that includes \$974 billion on infrastructure over five years, of which \$579 billion would be above baseline federal spending.

## **Secretary Buttigieg Suggests Public-Private Partnerships for EV Charging**

- On May 20, Transportation Secretary Pete Buttigieg told Senators at a Senate Banking Committee hearing that the 500,000 EV charging stations in the President's infrastructure plan, the American Jobs Plan, would not necessarily be “owned and operated by the federal government.”
- Of the \$174 billion for electrification in the American Jobs Plan, \$15 billion is allocated to building the charging stations, which averages to about \$30,000 per charging station. This alone would not be sufficient to meet the administration’s electrification goals. Secretary Buttigieg’s comment suggest that the federal government may leverage other investments to build the charging stations.
- Buttigieg stated that the policy will vary based on geography. He compared charging stations at a “luxury apartment building in the middle of a city” that potentially would not need government support with those in rural areas that may not have enough return on investment to attract private sector interest. He said, “I wouldn't say that the vision is that

all charging stations in the country, or even most of them or any of them, need to be owned and operated by the federal government.”

He also said that federal government support will partially come in the form of technical assistance to determine where the charging stations should be located. This work would build on a DOT partnership with the Department of Energy (DOE)

### **DOT Requests Comments to Improve Racial Equity**

- DOT is currently requesting comments on how it should measure equity to improve federal transportation programs.
- The effort follows President Joe Biden’s January 20th executive order calling for agencies to advance racial equity and support underserved communities.
- DOT's goal is to “assess whether, and to what extent, its programs and policies perpetuate systemic barriers to opportunities and benefits for people of color and other underserved groups.”
- The request for information was published on May 25 in the [Federal Register](#) and are due by June 24.
- ) to designate Alternative Fuels Corridors where charging stations are needed.

### **Preliminary Report Shows Rise in Pedestrian Deaths**

- [Preliminary 2020 data](#) released this month from the Governors Highway Safety Association projects that the U.S. pedestrian fatality rate per billion vehicle miles traveled (VMT) jumped to 2.3 deaths in 2020. This is an unprecedented 21% increase from 1.9 in 2019.
- The report examined trends affecting this rise in pedestrian deaths, including increased reckless driving behaviors, the need for safer road crossings and efforts to make pedestrians more visible through better lighting and other strategies, and the continued increase in sales of sport utility vehicles (SUVs), which cause more serious and fatal injuries to pedestrians in the event of a collision.
- The report also discusses the need for a comprehensive approach that leverages engineering, public education, emergency response and equitable enforcement for reducing pedestrian-motor vehicles crashes and saving lives.

### **Lawmakers Introduce Green Transportation Act to Reduce Pollution**

- On May 11, Representatives Lloyd Doggett (D-TX) and Earl Blumenauer (D-OR) led a group of 20 lawmakers to introduce the Green Transportation Act. The legislation directs cities and states to reduce greenhouse gas emissions in the transportation sector.



- The transportation sector is the largest source of carbon pollution in the country, making tracking and reducing those emissions a priority in mitigating the climate crisis. This bill mandates the tracking of emissions and the creation of local implementation plans. The bill would help achieve President Biden’s goal of reducing U.S. greenhouse gas emissions by at least 50% by 2030.
- The Green Transportation Act would require the Department of Transportation (DOT) to work with the Environmental Protection Agency (EPA) to establish national goals and performance measures for emissions reductions. Using these national performance measures as a guide, states and metropolitan planning organizations (MPOs) would then establish their own greenhouse gas reduction targets in long-range public transit and highway planning.

### **Grant Opportunities & Award Announcements**

- **[2021 Competitive Funding Opportunity: Pilot Program for Transit-Oriented Development \(TOD\) Planning](#)**: \$10 million available. Applications due by June 21, 2021.
- **[FY 2021 National Infrastructure Investments \(RAISE Grants - Formerly BUILD Grants\)](#)**: \$1 billion available. Applications due by July 12, 2021.